

Possible Amendments to the Basic Land Use Ordinance and the Shoreland Zoning Ordinance to Increase the Maximum Height of Structures to Thirty-Two (32) Feet

Proposed additions to the ordinances are underlined:
proposed deletions are ~~struck-out~~.

A. Basic Land Use Ordinance

1. Amend Section 11.1 Minimum Lot Standards so that the table of requirements in the Shoreland Zone reads as follows:

SHORELAND ZONE¹

	SHORELAND NON-TIDAL	SHORELAND TIDAL	SHORELAND OFFSHORE ISLANDS	NON-SHORELAND AREA OF OFFSHORE ISLANDS	SUBDIVISION S ⁴
MIN. LOT SIZE (S.F.) PER DWELLING UNIT	40,000	40,000	40,000	40,000	80,000
SHORE FRONTAGE (FT)	200	150	150	exempt	150
WATERBODY, TRIBUTARY STREAM, OR WETLAND SETBACK (FT)	75	75	75	n/a	75
PROPERTY LINE SETBACK (FT)	25	25	25	20	25
ROAD SETBACK (FT)	n/a	n/a	n/a	exempt	40
STRUCTURE HEIGHT (FT)	30 <u>32</u>	30 <u>32</u>	30 <u>32</u>	30 <u>32</u>	30 <u>32</u>

2. Amend Section 11.1 Minimum Lot Standards so that the table of requirements in Other Areas of Town reads as follows:

OTHER AREAS OF TOWN²

	AREAS LOCATED OUTSIDE OF A SUBDIVISION	AREAS LOCATED WITHIN A SUBDIVISION ⁴
MIN. LOT SIZE (S.F.) PER DWELLING UNIT	40,000	80,000
ROAD FRONTAGE (FT)	150 ³	150 ⁵
PROPERTY LINE SETBACK (FT)	See Section 11.3.1	See Section 11.3.1
ROAD SETBACK (FT)	See Section 11.3.1	See Section 11.3.1
STRUCTURE HEIGHT (FT)	30 <u>32</u>	30 <u>32</u>

3. Amend the first paragraph of Section 11.3.2 Height of Structures to read as follows:

11.3.2. Height of Structures. All principal and accessory structures shall not exceed thirty-~~two~~ (~~30~~ 32) feet in height. All expansions of principal and accessory structures that increase the footprint of the structure shall not exceed thirty-~~two~~ (~~30~~ 32) feet in height. For any principal or accessory structure existing as of March 10, 2007 that lawfully exceeds thirty-~~two~~ (~~30~~ 32) feet in height, such structure may be expanded without the need for a variance provided that (a) the expansion does not increase the footprint of the structure; and (b) the expansion does not exceed the greatest height of the existing structure. Expansions of nonconforming structures must comply with all other expansion limitations of this Ordinance. The CEO shall review any proposed expansion of a structure and shall determine, in writing, whether the requirements of this subsection are met prior to the issuance of any permit. This subsection does not apply to structures having no floor area, such as transmission towers, windmills, antennas and similar structures.

B. Shoreland Zoning Ordinance

1. Amend Section 13.7.2.3 in 13.7.2 Land Use Standards to read as follows:

13.7.2.3. Principal or accessory structures and expansions of existing structures shall not exceed thirty-~~two~~ (~~30~~ 32) feet in height. All expansions of principal and

accessory structures that increase the footprint of the structure shall not exceed thirty-~~two~~ (~~30~~ 32) feet in height.

2. Amend the first paragraph in Section 15.2.2 in 15.2 Principal and Accessory Structures to read as follows:

15.2.2. Principal or accessory structures and expansions of existing structures shall not exceed thirty-~~two~~ (~~30~~ 32) feet in height. All expansions of principal and accessory structures that increase the footprint of the structure shall not exceed thirty-~~two~~ (~~30~~ 32) feet in height. For any principal or accessory structure existing as of March 10, 2007 that lawfully exceeds thirty-~~two~~ (~~30~~ 32) feet in height, such structure may be expanded without the need for a variance provided that (a) the expansion does not increase the footprint of the structure; and (b) the expansion does not exceed the greatest height of the existing structure. Expansions of non-conforming structures must comply with all other expansion limitations of this Ordinance. The Code Enforcement Officer shall review any proposed expansion of a structure and shall determine, in writing, whether the requirements of this subsection are met prior to the issuance of any permit. Any non-residential structure exceeding twenty-five hundred (2,500) square feet must apply for Site Plan Review. This subsection does not apply to structures such as transmission towers, windmills, antennas, and similar structures having no floor area.